**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN**

**THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929**

**WP(C).No. 30980 of 2007(K)**
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**PETITIONER:**
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**OMANA, NARAYANA BHAVANAM,**
**MADATHIL KARAYMA, OCHIRA P.O.,**
**KOLLAM DISTRICT.**

**BY ADV. SRI.K.ABDUL JAWAD**

**RESPONDENTS:**
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**1. REGISTRAR OF CO-OPERATIVE SOCIETIES,**
**TRIVANDRUM.**

**2. SPECIAL SALE OFFICER,**
**CO-OPERATIVE AGRICULTURAL RURAL DEVELOPMENT**
**BANK LTD., KARUNAGAPPALLY.**

**3. CO-OPERATIVE AGRICULTURAL RURAL**
**DEVELOPMENT BANK LTD. NO.Q 467, KARUNAGAPPALLY,**
**REPRESENTED BY ITS SECRETARY, KARUNAGAPPALLY.**

**BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.) --- R3**
**SRI.P.GOPAL**
**GOVERNMENT PLEADER SRI. P.K.RAVI KRISHNAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C) NO: 30980/2007**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1. COPY OF THE SALE PROCLAMATION DT. 5/10/2007 BY THE R2.**

**RESPONDENT'S EXHIBITS**

**EXT.R3A. COPY OF THE NOTICE DT. 6/08/2003.**

**EXT.R3B. COPY OF THE ACKNOWLEDGEMENT SIGNED BY THE PETITIONER.**

**EXT.R3C. COPY OF THE NOTICE DT. 17/6/2005 BY THE SALE OFFICER.**

**EXT.R3D. COPY OF THE SALE PROCLAMATION NOTICE DT. 8/12/2005.**

*True copy*

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**THOTTATHIL B. RADHAKRISHNAN, J.**

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**WP(C).No.30980 of 2007-K**

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Dated this the 15th day of November, 2007.

**JUDGMENT**

1. Petitioner availed different loans from the third respondent. This has now resulted in recovery proceedings leading to an imminent sale of the properties of the petitioner.

2. Noticing the facts stated in the writ petition and in the counter affidavit of the third respondent and after having heard learned counsel for parties, this writ petition is disposed of directing that if the petitioner remits at the rate of Rs.15,000/- per month payable on or before the 10th of every month commencing from December, 2007, the impugned sale proceedings shall stand dropped provided the petitioner wipes off the entire outstandings,

including all accruals. However, if there is default of one instalment, the benefits of this judgment shall stand recalled and the respondents will be at liberty to proceed with the sale, without further notice to the petitioner.

**THOTTATHIL B. RADHAKRISHNAN,**
**JUDGE.**

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